

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
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In re Application of:	:	Examiner: Devona E. Faulk
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Brian Michael FINN et al.	:	
	:	
For: DEVICE AND METHOD FOR	:	
OPERATING VOICE-SUPPORTED	:	
SYSTEMS IN MOTOR VEHICLES	:	
	:	Art Unit: 2615
Filed: July 18, 2003	:	
	:	
Serial No.: 10/623,286	:	
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I hereby certify that this correspondence is being electronically transmitted to the United States Patent and Trademark Office via the Office electronic filing system on

Date: June 29, 2009

Signature: /Julie Forero/

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**RESPONSE TO “NOTIFICATION OF
NON-COMPLIANT APPEAL BRIEF (37 CFR 41.37)”**

SIR:

This paper is in response to the “Notification of Non-Compliant Appeal Brief (37 CFR 41.37)” (“the Notification”) dated June 2, 2009 in connection with the above-captioned application. The Notification indicates that a concise explanation of the subject matter defined in independent claim 6 was not provided.

As indicated in M.P.E.P. § 1205.03, “[w]hen the Office holds the brief to be defective solely due to appellant’s failure to provide a summary of the claimed subject matter as required by 37 CFR 41.37(c)(1)(v), an entire new brief need not, and should not, be filed.” “Rather,” according to M.P.E.P. § 1205.03, “a paper providing a summary of the claimed subject matter as required by 37 CFR 41.37(c)(1)(v) will suffice.” Thus, a replacement “Summary of the Claimed Subject Matter” section is submitted herewith to replace the section of the “Appeal Brief Pursuant to 37 C.F.R. § 41.37” (“the Appeal Brief”), filed on April 17, 2009, captioned “Summary of the Claimed Subject Matter.”

Please replace the section of the Appeal Brief captioned “Summary of the Claimed Subject Matter” with the following replacement section:

--5. SUMMARY OF CLAIMED SUBJECT MATTER

The present claims on appeal include seven independent claims, *i.e.*, claims 1, 3, 4, 6, 26, 29 and 30.

Independent claim 1 relates to a method for operating a voice-supported system in a motor vehicle. *Specification*, page 1, lines 2 to 7. Claim 1 recites that the voice-supported system includes at least one microphone, at least one loudspeaker, and a bandpass filter arranged between the microphone and the loudspeaker. *Specification*, page 3, lines 5 to 15; Figure 2. Claim 1 recites that the method includes determining a power of a signal as a function of frequency. *Specification*, page 3, lines 5 to 15. Claim 1 further recites that the method includes adjusting the bandpass filter at least as a function of a derivative of the power of the signal with respect to the frequency. *Specification*, page 3, lines 19 to 22.

Independent claim 3 relates to a method for operating a voice-supported system in a motor vehicle, the system including at least one microphone, at least one loudspeaker, and a bandpass filter arranged between the microphone and the loudspeaker, the method including determining a power of a signal as a function of frequency. *Specification*, page 3, lines 5 to 15; Figure 2. Claim 3 further recites that the method includes adjusting the bandpass filter at least one of as a function of at least one local maximum of the power of the signal as a function of the frequency and as a function of a derivative of the power of the signal with respect to frequency. *Specification*, page 3, lines 19 to 22. Claim 3 further recites that the method includes determining the local maximum of the power of the signal as a function of the derivative of the power of the signal with respect to frequency. *Specification*, page 3, lines 19 to 22.

Independent claim 4 relates to a method for operating a voice-supported system in a motor vehicle, the system including at least one microphone, at least one loudspeaker, and a bandpass filter arranged between the microphone and the loudspeaker, the method including determining a power of a signal as a function of frequency. *Specification*, page 3, lines 5 to 15; Figure 2. Claim 4 further recites that the method includes adjusting the bandpass filter at least one of as a function of at least one local maximum of the power of the signal as a function of the frequency and as a function of a derivative of the power of the signal with respect to frequency. *Specification*, page 3, lines 19 to 22. Claim 4 further recites that the method includes determining the local maximum of the power of the signal as a

function of the first derivative of the power of the signal with respect to frequency.

Specification, page 3, lines 19 to 22.

Independent claim 6 relates to a method for operating a voice-supported system in a motor vehicle, the system including at least one microphone, at least one loudspeaker, and a bandpass filter arranged between the microphone and the loudspeaker, the method including determining a power of a signal as a function of frequency. *Specification*, page 3, lines 5 to 15; Figure 2. Claim 6 recites that the method includes adjusting the bandpass filter at least one of as a function of at least one local maximum of the power of the signal as a function of the frequency and as a function of a derivative of the power of the signal with respect to frequency. *Specification*, page 3, lines 19 to 22. Claim 6 recites that the bandpass filter is adjusted in the adjusting step as a function of a first derivative of the power of the signal with respect to frequency. *Specification*, page 4, lines 1 to 10 and 15 to 18; page 12, lines 14 to 16.

Independent claim 26 relates to a device for operating a voice-enhancement system. *Specification*, page 1, lines 2 to 7. Claim 26 recites the device including at least one microphone, at least one loudspeaker configured to reproduce a signal generated by the microphone, and a bandpass filter arranged between the microphone and the loudspeaker. *Specification*, page 3, lines 5 to 15; Figure 2. Claim 26 further recites the device including decision logic configured to adjust the bandpass filter at least as a function of a derivative of a power of the signal with respect to frequency. *Specification*, page 4, lines 1 to 10 and 15 to 18; page 12, lines 14 to 16.

Independent claim 29 relates to a device for operating a voice-enhancement system. *Specification*, page 1, lines 2 to 7. Claim 29 recites the device including at least one microphone, at least one loudspeaker configured to reproduce a signal generated by the microphone, and a bandpass filter arranged between the microphone and the loudspeaker. *Specification*, page 3, lines 5 to 15; Figure 2. Claim 29 further recites the device including an arrangement configured to determine a power of the signal as a function of frequency. *Specification*, page 3, lines 5 to 15. Claim 29 further recites the device including an arrangement configured to adjust the bandpass filter at least as a function of a derivative of the power of the signal with respect to frequency. *Specification*, page 4, lines 1 to 10 and 15 to 18; page 12, lines 14 to 16.

Independent claim 30 relates to a device for operating a voice-enhancement system. *Specification*, page 1, lines 2 to 7. Claim 30 recites the device including at least one microphone, at least one loudspeaker configured to reproduce a signal generated by the

microphone, and a bandpass filter arranged between the microphone and the loudspeaker. *Specification*, page 3, lines 5 to 15; Figure 2. Claim 30 further recites the device including means for determining a power of the signal as a function of frequency. *Specification*, page 3, lines 5 to 15; page 12, lines 10 to 14. Claim 30 further recites the device including means for adjusting the bandpass filter at least as a function of a derivative of the power of the signal with respect to frequency. *Specification*, page 4, lines 1 to 10 and 15 to 18; page 12, lines 14 to 16.--.

It is believed and respectfully submitted that the foregoing replacement section fully complies with the requirements of 37 C.F.R. § 41.37(c)(1)(v) and that the Appeal Brief now fully complies with all of the requirements of 37 C.F.R. § 41.37.

In view of all of the foregoing and for all of the reasons more fully set forth in the Appeal Brief, reversal of all of the rejections set forth in the Final Office Action dated March 19, 2008 is respectfully requested.

Respectfully submitted,

Dated: June 29, 2009

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